REMARKS

Claims 1-9, 11-31, 33-50, and 52-75 are pending with claims 1, 23, 42, 52, and 64 being independent. Claims 1, 23, and 42 have been amended to incorporate, respectively, the features of claims 10, 32, and 51 and to correct antecedent basis of some terms.

Claims 52-75 are newly presented. Support for these new claims can be found at least at page 1, line 16 to page 3, line 19 and Fig. 10 of the originally filed specification.

Drawings

In accordance with the Examiner's suggestion, applicant will submit formal drawings when the claims are allowed.

Specification

In accordance with the Examiner's request, applicant has changed the title to "Method and system for protecting electronic content." Applicant requests acceptance of the new title.

Claims

Independent claim 1 relates to a computer-implemented method of protecting content. The method includes presenting an indicator that differs from the content and indicates a presence of the content, preventing a user from perceiving the content while the indicator is being presented. The method includes receiving a request from the user to access the content and enabling the user to perceive the content based on the request received from the user. The method includes preventing the user from capturing the content including preventing a perception of the content whenever the user attempts to capture the content.

Independent claim 23 relates to a system for protecting content. The system includes a processor having communications links for receiving content from a network, an output device for making received network content perceivable, and an input device for receiving user input. The system includes memory storing software instructions performed by the processor for performing the method of claim 1.

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Independent claim 42 relates to computer software, tangibly embodied in a computer-readable medium or in a propagated carrier signal, for protecting content, for causing a computer system to perform the method of claim 1.

35 U.S.C. §112, Second Paragraph Rejection

Claims 1, 3, 23, 25, 41, 42, and 44[1] have been rejected as being indefinite for lack of antecedent basis. Applicant has amended claims 1, 3, 23, and 42 to provide for sufficient antecedent basis for the terms listed by the Examiner. For these reasons, applicant requests withdrawal of this rejection.

Claim 41 has been rejected for including a trademark. Applicant has amended claim 41 to remove the trademark. For this reason, applicant requests withdrawal of this rejection.

Claims 1, 23, and 42[2] have been rejected as being incomplete for omitting essential steps or essential structural cooperative relationships of elements. Applicant requests withdrawal of this rejection because applicant has not otherwise stated that the invention is something different from what is defined by the claims. See MPEP §§2172 I and 2173.04. Moreover, the Examiner is to presume that the invention set forth in the claims is that which applicant regards as his invention. See MPEP §2172 I. The Examiner cannot use the content of applicant's specification as evidence that the scope of the claims is inconsistent with the subject matter in the claims. See MPEP §2172 II. The Examiner has failed to provide proper evidence under MPEP §2172 II. that the claims are incomplete. Indeed, the Examiner has used the content of applicant's own specification in making this rejection. For at least these reasons, this rejection is improper.

The Examiner points to MPEP §2172.01 for supporting the rejection. However, MPEP §2172.01 only applies if the Examiner has met the burden of MPEP §2172, that is, only if the Examiner has provided evidence (other than applicant's own disclosure) that the invention is something different from what is defined by the claims. Because the Examiner has failed to meet this burden (discussed above), this rejection should be withdrawn.

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[1] Applicant does not include claims 10, 32, and 51 in the recitation of the claims because these claims have been canceled.
[2] Applicant does not include claims 10, 32, and 51 in the recitation of the claims because these claims have been canceled.

Claims 3, 24, and 44 have been rejected for containing the term "substantially." Applicant has amended the claims to remove the term "substantially." Accordingly, applicant requests withdrawal of this rejection.

35 U.S.C. §102(e) Rejection

Claims 1-3, 8, 9, 11-17, 23-25, 30, 31, 33-35, 42-44, 49, and 50 have been rejected as being anticipated by U.S. Patent No. 6,032,150 (Nguyen). Applicant requests withdrawal of this rejection because Nguyen fails to describe or suggest preventing a perception of content whenever a user attempts to capture the content, as recited in claims 1, 23, and 42, as amended. Moreover, with respect to now-canceled claims 10, 32, and 51, the Examiner agrees that Nguyen fails in this regard. See the Office Action at pages 13 and 14. Accordingly, claims 1, 23, and 42 are allowable over Nguyen. Claims 2, 3, 8, 9, 11-17, 23, 25, 30, 31, 33-35, 43, 44, 49, and 50 depend from claims 1, 23, and 42 and are allowable for at least the reasons that claims 1, 23, and 42 are allowable.

35 U.S.C. §103(a) Rejection

Claims 4-7, 18-21, 26-29, 36-39, 41, and 45-48 have been rejected as being obvious over Nguyen in view of Lemay et al., "Teach Yourself Java 2 in 21 Days" (Lemay). Applicant requests withdrawal of this rejection for the following reasons. Claims 4-7, 18-21, 26-29, 36-39, 41, and 45-48 depend from independent claims 1, 23, or 42, which were rejected as being anticipated by Nguyen. Lemay fails to cure the deficiencies of Nguyen to describe or suggest preventing a perception of content whenever a user attempts to capture the content. For example, while Lemay describes at page 245 that graphics can be displayed in the Java applet by creation of an image object, Lemay does not describe or suggest that a user will be prevented from perceiving the graphics whenever a user attempts to capture the graphics. For this reason, claims 1, 23, and 42 are allowable over any possible combination of Nguyen and Lemay. Claims 4-7, 18-21, 26-29, 36-39, 41, and 45-48 are allowable for at least the reasons that claims 1, 23, and 42 are allowable.

Claims 22 and 40 have been rejected as being obvious over Nguyen in view of Lemay and Huseby, "Video on the World Wide Web..." (Huseby). Applicant requests withdrawal of this rejection for the following reasons. Claims 22 and 40 depend, respectively, from independent claims 1 and 23. As discussed above, claims 1 and 23 are allowable over Nguyen in view of Lemay. Huseby fails to cure the deficiencies of Nguyen and Lemay to describe or suggest preventing a perception of content whenever a user attempts to capture the content. For example, Huseby describes at pages 4 and 5 building a program for coding and decoding of image streams. However, Huseby never suggests that a user will be prevented from perceiving the image stream whenever a user attempts to capture the image stream. For this reason, claims 1 and 23 are allowable over any possible combination of Nguyen, Lemay, and Huseby. Claims 22 and 40 are allowable for at least the reasons that claims 1 and 23 are allowable.

Claims 10, 32, and 51 were rejected as being obvious over Nguyen in view of U.S. Patent No. 5,881,287 (Mast). As mentioned above, although claims 10, 32, and 51 have been canceled, the features of claims 10, 32, and 51 have been incorporated into, respectively, independent claims 1, 23, and 42. Claims 1, 23, and 42 have been rejected as being anticipated by Nguyen. Mast fails to cure the deficiencies of Nguyen to describe or suggest preventing a perception of content whenever a user attempts to capture the content. Mast relates to a method of securing images from unlicensed appropriation. See Mast at col. 3, lines 25-28. When a user initiates a memory transfer such as "PRINT SCREEN," Mast prevents a protected image 802A on the screen from being transferred to the print out of the screen. See Mast at col. 10, lines 53-61 and Fig. 8. Thus, Mast's system transfers only unprotected images and fills in the region of the print out where the protected image 802A would have been displayed with a pattern or message. See Mast at col. 10, line 61 to col. 11, line 1 and Fig. 8. Thus, Mast's system prevents the user from capturing the protected image 802A.

However, Mast's system does not prevent perception of the protected image 802A whenever the user attempts the memory transfer. Rather, a user of Mast's system is still able to perceive the protected image 802A even during the attempted memory transfer of the protected image 802A. See Mast at Fig. 8, which continues to display the image 802A on the screen to the

user even when the user is attempting the memory transfer of the image 802A. For this reason, Mast fails to describe or suggest preventing a perception of content whenever a user attempts to capture the content. Accordingly, claims 1, 23, and 42 are allowable over any possible combination of Nguyen and Mast.

New claims 52-75

Independent claims 52 and 64 each recite preventing a perception of content whenever a user attempts to capture the content, as also recited in independent claims 1, 23, and 42. As discussed above, the cited art, alone or in combination, fails to describe or suggest preventing a perception of content whenever a user attempts to capture the content. For this reason, claims 52 and 64 are allowable, as are the claims dependent from claims 52 and 64.

Enclosed is a $554.00 check for additional claims. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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